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Telephone Calls. Business Office 238 | Editorial Rooms 242 GENERAL SHERIDAN'S condition is better than it was yesterday.

GENERAL SHERIDAN went through all the grades in the volunteer service and all in the regular service, and every commission he received bore the date of a battle.

SHERIDAN commanded the cavalry in the Army of the Potomac just a year, and in that time fought seventy-six battles, captured 205 battle-flags and over 160 field-pieces.

GOVERNOR GRAY'S name ought to make him very popular in a Democratic convention. If the contest were between Blue and Gray, instead of Black and Gray he would have a

PASCAL PORTER, "the boy preacher," has fallen into the hands of a "manager" who understands the art of advertising, and is working the lad to make money. He will probably develop into a professional evangelist.

THE movement among Wisconsin Democrats to nominate George W. Peck, of "bad boy" fame, as their candidate for Governor, indicates that they have no hope of carrying the State. In a serious political game no one ever wins with the "joker."

DR. McGLYNN rises to remark that "while the Irish fools are sending thirty to forty thousand pounds per annum to the Pope, he sends them in return his blessing." The Journal is not a blind admirer of Dr. Mc-Glynn, but it is able to discern some practical force in this observation.

THE letter carrier now under arrest in this city, for stealing the contents of registered letters is said to have been addicted to gambling. If so, and if the fact has been known, he should have been discharged long since. No person who gambles in any form should be retained in a position of trust.

THE report of Spruille Braden, assayer of the Helena mint, shows that during the last year Montana's output of gold was \$5,778,-536.28; of silver, \$17,817,548.95; total of gold and silver, \$23,796,085.23. Montana stands at the head in her output of gold and silver and seems likely to maintain her lead.

IF Indianapolis is to have electric lights it might be the part of economy, as well as safety, to have the wires laid underground in the beginning. Many accidents are caused by exposed wires, and the number of heavy damage suits reported in various places indicate that though proper precautions may be costly they are cheaper in the end than the payment of heavy verdicts against the municipalities.

THE full text of the decision of the Supreme Court in the Cov-Bernhamer case has been received. The main points were printed at the time of its delivery, and the full text does little more than enlarge on these and enforce them with citations of authority. It is conclusive on every point presented by the record, and established beyond a doubt that the rulings of the District Court were right at every stage of the proceedings.

THE St. Louis Republican feels moved to remark that "Jefferson Davis is a man of great ability, venerable in years, and no more 'a traitor' or a criminal than any one of the thousands of intelligent men with whom he sided." This is the old story. There was no question of right or wrong involved in the rebellion, and the whole thing was merely a difference of opinion between the government and those who tried to destroy it. Modern Democracy is built on this idea.

THE Philadelphia Times still affects t think that Mr. Cleveland has civil-service reform principles, and says although it is true that a number of federal office-holders will go to the St. Louis convention, it is not a certainty that they will hold their positions three months after that time. Will editor McClure hold up his lily white hand and affirm that he really believes his idolized President holds that celebrated order to office-holders above claims of gratitude, and will "bounce" all who go to St. Louis to work in his behalf? If so, he is evidently the only Pennsylvania Democrat who cherishes such delusion.

THE Iowa State Register is entitled to admiration for the earnest and energetic manner in which it pushes the boom of Iowa's "favorite son," Senator Allison. All its methods are fair and square, its misrepresents no other candidate, it indulges in no fulsome and extravagant laudation of its own, but, like the Journal, considers no second choice, and has done Mr. Allison good service. It has now the satisfaction of seeing in the increasingly respectful mention among people and politicians of Allison possibilities to at | ried the musket is the greatest here of the war.

its work has had effect. Organs of other favorite sons and step-sons, which either habitually abuse rival candidates or comment upon the superior availability of others to their own, should take note of the Register's and the Journal's method for future reference. It is too late for them to profit by it this sea-

large vacancy in the popular heart. The

American people have long since anticipated

the verdict of history in regarding Grant,

Sheridan and Sherman as the three greatest

soldiers developed by our civil war. There

were other great soldiers, but these three held

the first rank. Of this immortal trio the chief

was the first to go. Now Grant is likely to be

soon followed by his trusted lieutenant and

good right arm in war, leaving Sherman sole

survivor of our three greatest captains. Thus

steadily moves the procession which

takes out of human sight officers and

privates alike, the heroes of that heroic era.

Sheridan was pre-emmently a soldier. His

instincts, training, tastes and life career were

distinctively military. Grant and Sher-

man both resigned their commissions

in the army and were engaged in

civil pursuits when the war began. Sheri-

dan never did. From the day when, as

a boy, he chose the vocation of a soldier and

gained admission to West Point he was never

anything else. He had all the traits and

characteristics popularly attributed to pro-

fessional soldiers. He had a Napoleonic face,

head and figure, and looked the typical sol-

dier. He was a rough rider, a hard hitter,

and a natural born fighter. In the first year

of the war he developed very high soldierly

qualities as a commander of infantry. At

Murfreesboro he won distinction by his des-

perate fighting. Speaking of the fight 'in

the cedars," General Rousseau said: "I knew

it was infernal in there before I got in, but I

was convinced of it when I saw Phil Sheri-

dan, with hat in one hand and sword in the

other, fighting as if he were the devil incar-

nate." At Missionary Ridge he covered him-

self with glory. But nature intended Sheri-

dan for a cavalry officer, and it was in that

branch of the service that he was destined to

win greatest renown. Grant never did a

wiser thing than when, in the spring of 1864,

he asked for Sheridan's transfer to

the East and assigned him to the com-

mand of the cavalry of the Army of

the Potomac. His brilliant services in that

position gave him a wide reputation, and the

end of the war found him classed among the

few greatest soldiers of the world. His fame

was not confined to the United States, and

when he went abroad he was welcomed into

full communion with the great soldiers of

of peace, General Sheridan showed himself

fully equal to the requirements of the posi-

tion, and always exercised a wholesome, con-

servative influence. He was a thorough pa-

triot as well as a good soldier, and, while he

had no taste for civil office or affairs, he pos-

sessed a true appreciation of the duties of

good citizenship. Great men arise with great

crises, but it is likely to be a long time before

we shall see a counterpart of gallant Phil

MR. DAVIS'S CROWN.

in his opinion as to the danger arising from the

President's arbitrary exercise of power. Scan-

dalous as it may be, we do not regard it as

dangerous. The Senator errs in calling Mr.

Cleveland "a man of destiny:" he is only a

man of luck. He is not a dangerous man, in

the ordinary sense of the phrase. He is

coarse-grained, arbitrary, stubborn, selfish

and therefore likely to do damaging and in-

jurious things, and to stretch his constitu-

tional powers to their utmost limit, but we

feel quite sure there is no danger of his try-

ing to overthrow the government or assume a

crown. The real Democratic king and the

only one we are likely to have is Jefferson

Davis. He has long been called "the Un-

crowned Chief of the Confederacy," but now

he has a crown. It was made for him in ex-

pectation that he would be at Jackson, Miss.,

to assist in laying the corner-stone of the

Southern soldiers' monument, but as he could

not be present it was sent to him. For this

touching recognition of his public services

he is indebted to his admiring Democratic

friends in Mississippi. The crown is of solid

silver, about one and a half inch wide and

of the thickness of a silver dollar. The por-

tion of the crown to be worn in front is some-

what wider and rises to an apex with a silver

knob on the end. To be really royal the silver

knob should have been a large diamond, but

as diamonds are rather expensive in Mis-

sissippi it was probably thought best by the

crown-builders to cut their garment according

to their cloth. From the knob in the center

of the front there are curves and minor points

fading into the plainer half of the circlet.

The crown is proportioned to Mr. Davis's hat,

a No. 7, and is guaranteed to fit. The front

is handsomely engraved and the inscripton is

cut deep into the metal. Above is engraved

in one line of script, "In memoriam." Be-

low, in another line of Roman letters, are the

words: "To President Jefferson Davis, Chief

of the Southern Confederacy." The crown is

open-that is, not covered in on top-which

would seem to imply that it is not to be worn

out of doors, or at least not on rainy days. It

will be pleasant for Mr. Davis to wear about

the house and to put under his pillow at

night. He will hardly care to sleep in it, for

uneasy rests the head that wears a crown. If

some enterprising photographist could induce

the old man to sit for his picture with the

crown on he might make a mint of money

selling them at the St. Louis convention.

When Jeff dies he should bequeath it in per-

petuity to the Democratic national commit-

A LITTLE speech made by General Sheridan

at a soldiers' reunion in Iowa is republished,

in which, after thanking the veterans for

their complimentary references to his own

career, he said that for all his military reputa-

tion he was indebted to the privates in the

ranks. "He was the man who did the fight-

ing," said Sheridan, "and the man who car-

We do not quite agree with Senator Stewart

but as modest as he was brave. GENERAL SHERIDAN. The death of General Sheridan will remove GENERAL ROGER A. PRYOR, addressing a a great figure in American affairs, and leave a graduating class of young lawyers at Albany

> a few nights ago, said concerning oratory: "One circumstance which largely explains the decadence of spoken eloquence is the presence of the stenographer. The erator is too solicitous about the critical judgment of the newspaper reader, and therefore too inat-tentive to the conditions of immediate effect upon his audience. A gentleman of long service in the federal Senate tells me that it is a common remark how much superior are the speeches made in secret session to those in

in my opinion. I was nothing but an agent.

I knew how to take care of men. I knew

what a soldier was worth, and I knew how

to study the country so as to put him in

right. I knew how to put him in a battle

when one occurred, but I was simply the

agent to take care of him, and he did the

work." This hard fighter was no braggart,

No doubt the stenographer has proved a very disturbing element in the field of oratory. Many speeches that sound very eloquent and are really very persuasive or convincing as they come fresh and hot from the lips of the impassioned orator seem flat, stale and unprofitable in cold type. Many an old school orator of great renown would have been irretrievably ruined if one of his speeches had been printed verbatim as delivered, with all its mistakes of grammar and its pitiless murdering of the King's English, as many an orator of the present day would if he did not write his speech in advance or revise it after delivery. Some speakers can stand the ordeal of being reported stenographically and going into print on their spoken words, but the most cannot. By the way, if it is true, as General Pryor says, that the speeches in secret session of the Senate are so much superior to those made in open session, this may account for the anxiety of Senators to preserve secret sessions. They want to prevent the art of oratory from becoming ex-

DEMOCRATIC politicians are now considering vice-presidential candidates with a view to possibilities "in case anything happens" to Cleveland. He is booked for a long life, of course, and of course they hope he will live through a second and even a third term; but still it is just as well to be prepared with the right kind of a successor should the emergency occur. This discussion is interesting for Mr. Cleveland, and no less so to the aspirants for the second honor, since several who have sized up well enough for that do not reach to the dimensions required for the first. Take it all around, the Democracy is having a merry time.

THE Atlanta Constitution "does not know exactly why," but does not regard Governor Gray as a satisfactory candidate for the vicepresidency. As President Cleveland seems Europe. As commander of the army in time to entertain a similar opinion, brother Grady ought to write to him and get his reasons. Indulgence in the "Dr Fell" style of argument is not becoming in a great editor.

> An army of devouring insects of unknown origin and strange appearance have effected a lodgment in the basement of the Treasury Department at Washington, and are destroying the files. They are described as somewhat more than an inch in length, and resembling a roach in appearance. They are provided with wings, and can fly. About each eye is a red circle and strong bills, like those of a beetle, enabling them to tear paper and cloth. Their backs are jet black and abdomens a light brown. When discovered they were devouring a lot of letters written during Mr. Polk's administration. Without professing any special knowledge of entomology, we should say that a steady diet of the records of Polk's administration would kill the toughest bugs in the world. If they survive this, turn them loose on the files of James Buchanan's time. That will finish

POLITICAL NOTES.

THERE is no denying that the Demogratic party displayed an eager longing to take Gov Gray, of Indiana, out somewhere by himself

SANTA CRUZ (Cal.) Sentinel: To nominate Blaine the doubtful States have but to name him as their first choice. Until they do so he will not head the Republican ticket. MINNEAPOLIS Tribune: The Democratic on ponents of Governor Gray, in Indiana, have sprung a candidate for Vice-president in the person of Col. Charles Denby, the present min-

ster to China. His chances of success are slender. He is respectable. STATE leagues of permanent Republican clubs have now been formed in all the States north of Mason and Dixon's line, and are just about being formed in four of the Southern States also. The present total registry at the National League headquarters, in New York, is 4,000 clubs regularly formed, with a present membership exceed-

WASHINGTON Special: A very prominent Indiana man, who is an ardent supporter of Gen. Harrison, said: "I am a Harrison man first, last and all the time, but if General Alger is pominated-which, I will say, I do not think at all probable just now-the entire Republican party of the State of Indiana would unite upon him and work industriously and faithfully for his election. I am inclined to think that Alger would be very much stronger in Indiana than

In reviewing the several candidates for Vicepresident on the Democratic ticket, the Atlanta Constitution says: "Then there is Governor Gray, of Indiana, a most excellent man and one of the most available in the party as a nominee for Vice-president, and yet Governor Gray would not make a satisfactory President. We do not know exactly why, but we do know that the party would never settle upon him as its candidate for such a position, though it is very probable that it may choose him for the second place. But if it knew that in naming the Viceresident, it was selecting a President, Governor

Gray would have a very slim chance." PHILADELPHIA Times: To the ordinary ob server it looks as if the national delegates from this city are stoutly in favor of the man who shall win the nomination, whoever he may be, with the majority of them preferring that it shall be somebody else than Blaine. There does not seem to be any particular drift towards Gresham, and this comes in a great measure from the belief that the Blaine people, who, it is supposed will be in the majority, will prefer anybody to Gresham. There are literary bureaus hard at work in behalf of Gresham, Alger and Harrison. Detroit papers are being sent regularly to the Philadelphia delegates setting forth Alger's qualifications. Circulars in favor of Gresham come from Chicago, and wagon-maker Studebaker, of Indiana. by personal letter, extols the availability of Harrison.

ABOUT PEOPLE AND THINGS.

A PIG raffie illustrates what may be called the baconian theory of civil service. BALD headed Indians are becoming numerous since the adoption of hats and cape by the race. GOVERNOR HILL is a very kind-hearted man.

He is the only politician that ever raised \$2,500 to pay for a poor widow's pig. THE smallest circular saw in practical use is a tiny disc about the size of a British shilling. which is employed for cutting the slits in gold

THE will of a French advocate contains the following bequest: "I give 100,000 france to the

local madhouse. I got this money out of those who passed their lives in litigation; in bequeathing it for the use of lunatics I only make resti-

QUEEN NATALIE takes such pride in ber black, glossy hair that rather than hide it she wears it in an old-fashioned waterfall hanging

LAST Tuesday night ex-Governor Curtin, of Pennsylvania, was found in his room in his Washington residence in an unconscious condition. His room was filled with gas, and it was thought that the jet was blown out by a draught after. Mr. Curtin had fallen asleep. He has been very ill ever since, but will probably

"These Dunkards," observed Miss Gushaway, as the conversation turned upon religious subjects, "are most excellent people, but rather queer. What in the world makes them imagine that a mustache interferes in the slightest degree with the enjoyment of a ki- Mamma, are you aware that you are stepping hard on

ARTIFICIAL flowers are going out of use in England and lace coming in at about an equal ratio. In 1882 the value of flowers imported reached the enormous sum of \$2,500,000, while in 1886 this fell off to \$1,250,000. The increase in the importation of lace meanwhile has amounted to more than all these figures of artiicial flowers together.

Some years ago Mr. Schliemann offered to make excavations near the Botanical Gardens at Athens in search of the Academy of Plato. The project, however, was never executed Within a short time, however, the ancient road leading from Athens to the Academy has been discovered during some excavations made near the silk factory. Although not paved, the road is well preserved, presents a hard surface, and is quite intact. It is being laid bare on both sides. THE War and Navy Departments, pursuant to

s resolution passed by the United States Senate, have been making estimates regarding the cost of the retired lists. The highest amount which has been paid to any retired officer now living is \$104,000, received by Gen. J. C. Robinson since he left the army. General Sherman, who was retired four years ago, has received since then nearly \$60,000 in pay and allowances. Rear-admiral Selfridge has received more retired pay than any other navy officer. Since his retirement, in 1866, he has received from the government about \$100,000.

REV. LYMAN ABBOTT, who succeeds Henry Ward Beecher as pastor of Plymouth Church, is one of the men whom it is unsafe to judge by appearances. It is said that while he looks languid and consumptive, he never is sick and he works rapidly and almost incessantly. His face is as solemn as a cage of owls, yet his chat is merry and his laugh is hearty; he has the head of a poet, but is intensely practical, and though tremendously orthodox in theory, he would give the right hand of fellowship to a Mohammedan striving to live upright.

WASHINGTON gossips still find material for idle chatter regarding the Endicott-Chamberlain matrimonial puzzle. The consensus of opinion regarding the affair is that an engagement really exists. Imaginative conversationalists go even further than this, and assert that Mr. Chamberlain wishes to have the marriage come off in June, but the Endicotts prefer to delay the ceremony until after the presiden-tial campagn. Like all gossips, these statements utterly snub logic and consistency and go their reckless way unrestrained by the canons of

good taste or the guns of the War Department. A CALIFORNIA miner says that miners are a very superstitious class, and he tells of dreams and other forms of warning they have received, notifying them of danger, which proved very timely. He says: "I know of a vastly rich mine in the San Gabriel mountains, Los Angeles county, that has caused the death of every man who tried to earry ore away from it. You may call this superstition also, but there are a dozen miners besides myself who know of the millions that could be taken from this mine and yet are afraid to go near it. Some half a dozen men had been killed by caves, etc." His own partner fell a victim to a loathsome disease while preparing to work the mine.

PROBABLY not one in ten thousand of those who occupy the chairs in Hyde Park, London, know how they came to be there. Their history dates back to shortly after the battle of Waterloo, when an English general, who had done good service, found himself reduced to extreme overty. The government of that day acknowldeed his past services by granting him and his heirs forever the right of letting on hire chairs at Hyde Park. The general gathered his resources and started with a hundred chairs. There are now over 27,000 chairs, the income from them amounting to over \$50,000 a year. This sum goes to two pretty young girls, who are the only direct descendants of the general.

COMMENT AND OPINION.

BROTHERS! the Mills bill to reduce the tariff is the first step toward one room for an American family. Fight it without delay, and fight it to its death; and then make your tariff so protective as to shut out cheap foreign labor in the form of manufactured goods.—New York Sun.

THE Republican party is to-day a better, besause more consistent, tariff-reform party than the Democratic party. But along about the 1st of June the Democratic party will try to bull-doze the country into believing that it is a better protection party than the Republican party.
-Nebraska State Journal. "Even such a man as Mr. Cleveland may die,"

says the Washington Post, tearfully. Alas, too indeed, we might make it stronger an say that even such a man as Mr. Cleveland must die. But, let the Post take comfort, Mr. Cleveland may die, but he will never resign his chance for re-election despite his conviction that a second term is detrimental to the country. -Kansas City Journal.

The Vice-Presidency.

The Democrats need to be looking up a good candidate for the vice-presidency. Four years ago, in Mr. Hendricks, they found one who brought a State along with him. This will not be so easily achieved now. Indiana is the natural State to furnish a Vice-president for both parties, provided she does not furnish a President: but this year Indiana apparently has no Democrat ready to be used for such a purpose, and the statement is made with positiveness that Mr. Harrison says he will not serve for the other side. It is not to be supposed that Judge Gresham will either: for a man must be nsane to relinquish a comfortable judgeship for the prospect of being Vice-president. If this is so, for the first time for several years there will be no Indiana candidate, which will make that State harder ground than ever. Providing the presidential candidates of both parties come from the East, those for Vice presidents are more likely to be found in Michigan and Illinois than anywhere else.

Bound to Beat Gray. Evansville Special.

It has leaked out that there will be a conference of the leading opposition to Governor Gray's candidacy for the vice-presidency, in St. Louis, some day next week, presumably Mon-day or Tuesday. The conference, it is said, will not only be attended by some prominent politicians from this State, but outsiders anagonistic to Gray have been invited to be present. The meeting will be held to give the opposition such form that it may be presented to the national convention in proper shape and

It is learned further that it will consider the propriety of issuing a pamphlet setting forth the menace which Gray's name will offer to national success, rehearing his political record, and placing the same in the hands of every delegate to the national convention. The matter s said to have been arranged for some time. but has been kept secret and was discovered through the careless talking of some who are in the secret.

The Latest About Mr. Blaine. New York World's Editorial, Sunday.

We have private information of the most trustworthy character confirming our frequently expressed opinion that Mr. Blaine will not be the candidate of his party for Mr. Blaine will not be the candidate because he really does not wish to be. The

convention will be in his favor. It may even nominate him. But Mr. Blaine will not accept. The event will prove that he was sincere in declaring, in letter and interview, that Mr. Blaine has a right to be reticent. He has

a right to receive the tender of a nomination, if he desires it. But it may be safely assumed that he will not be the candidute. After Blaine, who?

A Democratic Letter-Box. Philadelphia Press.

The Washington people cite the fact that Judge Lamar tried to drop a letter into a firealarm box as proof of his absent-mindedness, but we do not look at the matter in that light at all. The Judge probably concluded that the letter would go as soon in that way as in any other under the present management of the postal service.

JUSTICE MILLER'S OPINION

Full Text of the Decision of the Supreme Court in the Coy Case.

The United States Courts Can Protect the Ballot from Danger of Frand-A Clear Statement of the Law.

The full text of the opinion of Justice Miller in the babeas corpus case of Coy and Bernhamer on behalf of the Supreme Court of the United States, has been received. It first sets out the details of the case, the indictment in full and the sections of the statutes of the United States under which the action was brought, and then proceeds:

These statutes of the United States, first prescribing a punishment for a conspiracy to commit an offense against its laws, supplemented or preceded by federal laws made for the security and protection of the elections held for Representatives and Delegates to Congress, confer authority to punish a conspiracy to prevent or interfere with that security, by proceedings in the federal courts. The difficulty and delicacy of the position arises from the circumstance that Congress, instead of passing laws for the election of such members and delegates from the States and Territories under the supervision of its own officers and at times when no other elections are held, has remitted to the States the duty of providing for such elections. It follows that in all cases where a member of Congress is elected from a State, that he is voted for at an election held under the laws of the State, which provide for holding other elections at the same time and place, under the direction of the same officers, at which ballots are cast for a great number of State and local officers. The same judges, inspectors and clerks preside and conduct the election for all these different offices. The votes for members of Congress are generally put into the same box with those cast for the various State and municipal officers. They are generally printed upon ballots, composed of one piece of paper, containing a long list of names, including those of the candidate for Representative in Congress, State, county and municipal officers.

While the federal government has not thought it advisable to provide for separate elections for Congressmen, nor to interfere with the general laws for the conduct of those elections passed by the States, it has enacted the sections above referred to, and among others those for the punishment of persons who violate the election member of Congress. In doing this they have adopted the laws of the State, and they have provided that persons who violate them at such an election—that is, where a member is voted for—shall be punished by the provisions of the statutes of the United States, and by proceedings in the federal courts.

This anomalous condition makes the question of the applicability of the laws of Congress on this subject to offenses under the State statutes for the regulation of the casting, returning and counting of votes somewhat complex; but the power, under the Constitution of the United States, of Congress to make such provisions as are necessary to secure the fair and honest conduct of an election at which a member of Congress is elected, as well as the preservation, roper return and counting of the votes cast thereat, and, in fact, whatever is necessary to an honest and fair certification of such election. cannot be questioned. The right of Congress to do this, by adopting the statutes of the States, and enforcing them by its own sanctions, is con-ceded by counsel to be established. In regard to this they say, in their brief:

It is, perhaps, since the decision in ex parte Clark, 100 U. S., p. 399, past debate that Congress has the power under the Constitution to adopt the laws of the several States, respecting the mode of electing members of Congress, and, as resulting from that power, the right to prescribe punshment for infractions of the laws so adopted. This court has held more than once that Congress has exercised this power, and has adopted these laws, and, with them, the officers created under them, making them for the purposes of the election of Representatives in Congress its the election of Representatives in Congress its officers, and has added new sanctions to such laws, and subjected such officers to the penalties of these sanctions. All this is conceded.

The main objection to the indistment, how-ever, which is urged with great earnestness by counsel for appellants, is that it contains no averment that the intent and puppose of the defendants' conduct was to affect in any manner the election of a member of Congress, or to influence the returns relating to that office. The proposition is put in various forms, that since there were many State and local officers also voted for at the election in question and in those precincts, and as it is consistent with the indictment that the action of the conspirators were directed only to the election of those persons, and not to that for the federal office of a congressional representative, the indictment is for that reason insufficient.

The charge is that the conspirators unlawfully and feloniously induced the election officers to omit to perform their duty in this respect, which is in general conceded to be expressive of an evil intent. But counsel demand something more than this general evil intent in tampering with the poll-lists, tally-papers and certificates, although it is not denied that the object of the parties accused, in inducing the election officers to violate their duty, criminal proceeded from or that it was done for the of affecting the returns contained in the papers that were withheld or exposing them to the danger of mutilation and alteration. It is said however, that since the evil intent is not shown to have been specifically aimed at the returns of the vote for Congressmen, the statutes of the United States can have no force so far as the infliction of any penalty is concerned, and it is asserted that Congress had no power to provide for any punishment where no intent affecting the congressional election is averred.

It would be a very singular principle to establish, that, where a man was charged with a homicide, caused by maliciously shooting into a crowd with the purpose of killing some person against whom he bore malice, but with no intent to injure or kill the individual who was actually struck by the shot, be should be held excused because he did not intend to kill that particular person, and had no malice against

The analogy of this example to the present case is close. The persons accused did desire and intend to interfere with the election returns, and they did purpose to falsify those re-turns, as to some of the persons, at least, who were then voted for as candidates. It is argued on their behalf that because it is not averred in the indictment that they intended to falsify election returns with regard to

the congressional vote, or to affect those particular returns, it is to be held bad. It is also insisted that the felonious intent had relation to the action of inducing the officers to omit the duty of Reeping carefully the poll-books and tally-sheets, and although the records of the votes for Congressmen might possibly also suf-fer along with a number of other persons who might be affected by that omission, yet because there was not in the minds of the conspirators the specific intent or design to influence the congressional election, they are not to be held liable under this statute.

The object to be attained by these acts of Congress is to guard against the danger and the opportunity of tampering with the election returns, as well as against direct and intentional frauds upon the vote for members of that body. The law is violated whenever the evidences concerning the votes cast for that purpose are exposed or subjected in the hands of improper persons or unauthorized individuals to the opportunity for their falsification, or to the danger of such changes or forgeries as may affect that election, whether they actually do so or not, and whether the purpose of the party guilty of thus wresting them from their proper custody and exposing them to such danger might accomplish

There are many instances when an act may be criminal in its character without there being a person may be injured or killed, while it may reduce the offense from murder to manslaughter, or modify the penalty, does not wholly relieve the person guilty of it from criminal responsibility. Governments, both national and State, and even municipal, make laws for protection against articles, such as powder or glycerine, from accidents resulting from negligence, where no intention exists to cause an injury. If persons violate these laws they become liable to the penalty prescribed, because the necessity for strict care and caution in regard to such dangerous substances requires that careleseness in regard thereto, from which dam-age might result, should be punished, notwithstanding there may be an absence of any criminal

The case before us is eminently one of this character. Crimes against the hallot have be some so numerous and so serious that the atten tion of all legislative bodies has been turned with anxious solicitude to the means of preventing them, and to the object of securing purity which their result is ascertained. The acts of Congress and of the State of Indiana now under consideration are of this class. The manifest purpose of both systems of legislation is to remove the ballot-box as well as the certificates of the return of votes cast from all possible opportunity of falsification, forgery or destruction; and to say that the mere careless omission, or the want of an intention on the part of persons who are alleged to have acted feloniously in the violation of those laws, excuses them because they did not intend to violate their provisions as to all the persons voted

for at such an election, although they might have intended to affect the result as regards have intended to affect the result as regards some of them, is manifestly contrary to common sense, and is not supported by any sound authority. It may be added that the language of the act of Congress in describing these offenses, clearly does not require, in regard to some of these acts of omission and failure to perform the duties imposed upon election officers, that there should be alleged or proved an intention to give an opportunity for improper tampering with the records of the votes

It is also strenuously insisted by counsel for the appellants in their argument that no offense under the act of Congress is recited in the indictment. We have already stated, however, what the indictment charges, and given extracts from those acts and the statutes of Indians on that subject. While we do not think it necesfully considered in the court below, and in several opinions on writs of error and applications for habeas corpus in various inferior tribunals, we do not doubt that the indictmen sets forth a conspiracy by the parties to this appeal to induce the inspectors of election in Indi anapolis to omit the discharge of their duty and to fail to safely keep and guard the poll-lists, tally-papers and certificates committed to their care for the precincts at which they each presided. Nor do we doubt that the statute of Indiana imposed such a duty upon those inspect-ors, which they a were induced to violate by the persuasion and influence of the parties to this We are the less inclined to enter into these

controversies, as to a narrow construction of the statutes of Indiana and the acts of Congress, because we think they were questions properly be-fore the District Court on the trial of the prisoners. They were questions of which that court had jurisdiction and which it was its duty to decide. When decided by that court they were not subject to review here by a writ of error, nor were they, in a proper or just sense, questions affecting its jurisdiction. It would be as well to say that every question concerning the sufficien-cy and validity of an indictment, and the evidence necessary to support it, was a matter of jurisdiction, and authorized an interference, if error took place, by a writ of babeas corpus for its correction. That this cannot be done has

been repeatedly held in this court. The leading case on the subject is that of exparte Tobias Watkins, 3 Pet., 193, in which the opinion was delivered by Chief-justice Marshall. Watking was committed to jail in the District of Columbia by virtue of a judgment of the Circuit Court of the United States for that District. An application for a writ of habeas corpus was made on his behalf upon the ground that the indict ment on which he was convicted did not show any jurisdiction in that court, and that it charged no offense for which he could be pun-ished therein. The eminent Chief-justice, after remarking upon the general proposition that a commitment by the judgment of a court of competent jurisdiction is a sufficient answer to a writ of habeas corpus intended to effect his dis-

charge, said:
The judgment of a court of record whose jurisdiction is final is as conclusive on all the world as the judgment of this court would be. It is as conclusive on this court as it is on other courts. It puts an end to inquiry concerning the fact, by deciding it. The counsel for the prisoner admit the application of these principles to a case in which the indictment allers principles to a case in which the indictment alleges a crime cognizable in the court by which the judgment was pronounced, but they deny their application to a case in which the indictment charges an offense not punishable criminally according to the law of the land. But with what propriety can this court look into the indictment? We have no power to examine the proceedings on a writ of error, and it would be strange if, under color of a writ to liberate an individual from unlawful imprisonment, we could substantially reverse a judgment which the law has placed beyond our control. An imprisonment under judgment cannot be unlawful, unless that judgment be an absolute nullity; and it is not nullity if the court has general jurisdiction of the subject, although it should be erroneous. The Circuit Court for the District of Columbia is a sourt of record, having general jurisdiction over The Circuit Court for the District of Columbia is a court of record, having general jurisdiction over criminal cases. An offense cognizable in any court is cognizable in that court. If the offense be punishable by law, that court is competent to inflict the punishment. The judgment of such a tribunal has all the obligation which the judgment of any tribunal can have. To determine whether the offense charged in the indictment be legally punishable or not, is among the most unquestionable of its powers and duties. The decision of this question is the exercise of jurisdiction, whether the judgment be for or against the prisoner. The judgment is equally binding in the one case and in the other, and must remain in full force unless reversed regularly by a superior court capable of reversing it.

It may be said that this language is too broad in asserting that because every court must pass upon its own jurisdiction, that such decision is itself the exercise of a jurisdiction which belongs to it, and cannot, therefore, be questioned in any other court. But we do not so understand the mesning of the court. It certainly was not intended to say that because a federal court tries a prisoner for an ordinary common law offense, as burglary, assault and battery, or larceny, with no averment or proof of any offense against the United States, or any connection with a statute of the United States, and punishes him by imprisonment, that he cannot be released by habeas corpus because the court which tried him had assumed jurisdiction.

In all such cases, when the question of jurisdiction is raised, the point to be decided is,

whether the court has jurisdiction of that class of offenses. If the statute has invested the court which tried the prisoner with jurisdiction to punish a well-defined class of effenses, as forgery of its bonds or perjury in its courts, its judgment as to what acts were necessary under these statutes to constitute the crime is not reviewable on a writ of habeas corpus. And, as the laws of Congress are only valid when they are within the constitutional power

of that body, the validity of a staute under which a prisoner is held in custody may be inquired into under a writ of habeas corpus as affecting the jurisdiction of the cour which ordered his imprisonment. And if their want of power appears on the face of the record of his condemnation, whether in the indetment or elsewhere, the court which has authority to issue the writ is bound to release him Ex parte Seibold, 100 U.S., 371.

So, while we have attempted to answer the main argument of prisoners' counsel, that Congress had no power to punish an act het specifi-cally intended to affect the election or member of Congress, though the act was dose with a felonious intent, and that if it had sub power it has not exercised it, we thought it be neces-sary, under the principle laid down in a parte Watkins, to inquire into the sufficient of the allegation of the more minute details o the de-fense as charged in the indistment. Weare not here to consider it as on a demurrer befee trials But finding that the District Court has a general jurisdiction of this class of offenses, we pro seed no further in the inquiries on that abject, In ex parte Parks, 93 U. S., 23, this mestion

The case of Watkins was reaffirmed, and the general proposition announced that it was apparent from a review of the cases that Where the prisoner is in execution upor riction the writ ought not to be issued, or, # issued the prisoner should at once be remanded, if the court below had jurisdiction of the offense, and did no act beyond the powers conferred upon it. The District Court had plenary jurisdiction, both of the person, the place, the cause, and everything about it. To review the decision of that court by means of a writ of habeas corpus would be to convert that writ into a mere writ of error, and to assume an appellate into a mere writ of error, and to assume an appellate power which has never been conferred upon this

was very ably reviewed upon all the authorities

In ex parte Yarbrough, 110 U. S., 651, the sub-ect was again examined very fully. The court reiterated the doctrine that the writ of habeas corpus cannot be converted into a writ of error by which the judgment of the court passing the sentence can be reviewed. The court there said:

If that court had jurisdiction of the party and of the offense for which he was tried, and has not exceeded its powers in the sentence which it pronounced, this court can inquire no further. This principle disposes of the argument made before us on the insufficiency of the indictments under which the prisoners in this case were tried. Whether the indictment sets forth in comprehensive terms the offense which the statute describes and forbids, and for which it prescribes a punishment, is in every case a question of law, which must necessarily be decided by the court in which the case originates, and is, therefore, clearly within its jurisdiction. Its decision on the conformity of the indictment to the provisions of the statute may be erroneous, but if so it is an error of law made by a court acting within its jurisdiction, which could be corrected on a writ of error if such writ was allowed, but which cannot be looked into on a writ of habeas corpus limited to an inquiry into the existence of jurisdiction on the part of that court. Citing exparte Tobias Watkins and ex parte Parks, supra.

We cannot better close this opinion than by a further extract from that of the court in ex parte Yarbrough, p. 666: In a republican government like ours, where politi

In a republican government like ours, where politi-cal power is reposed in representatives of the entire body of the people, chosen at short intervals by popu-lar elections, the temptations to control these elec-tions by violence and by corruption is a constant source of danger. Such has been the history of all republics, and, though ours has been comparatively free from both these evils in the past, no lover of his country can shut his eyes to the fear of future danger The judgment of the Circuit Court, denying the writ of habeas corpus is affirmed.

Some Things to Be Ashamed of.

New York Graphic.
The Methodist General Conference has done me things it ought to be proud of, and has done some things that ought to make it feel very heartily ashamed of itself. It is a comparatively easy matter for a few blacklegs to bring censure upon a body of men who are in the main honorable. These barnacies on the good old ship should be discovered and swept off without delay.

Worth While to Remember. Philadelphia Press.
It is an odd circumstance that all this howiing about "the war tariff" comes from the party that made the war tariff necessary.